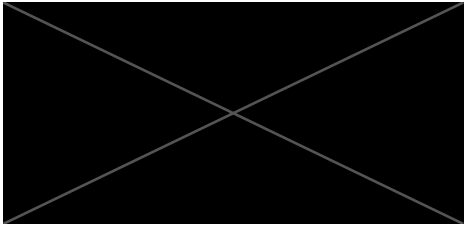




**DEPARTMENT OF THE AIR FORCE  
HEADQUARTERS AIR FORCE INSTALLATION AND  
MISSION SUPPORT CENTER  
JOINT BASE SAN ANTONIO LACKLAND TEXAS**

January 21, 2022

Mr. Charles J. Shedrick  
Information Access Branch  
2261 Hughes Avenue, Suite 133  
JBSA-Lackland TX 78236-9853



This is in response to your 14 October 2021 Freedom of Information Act (FOIA) Request (FOIA 2022-00185-F) for information:

***Pursuant to the federal Freedom of Information Act, 5 U.S.C. 552, I request access to and copies of the following records from the Air Force: 1) Copies of the “conflict of interest statement” noted as an attachment on page 33 of the attached document “Air Force Strategic Transformation Support (AFSTS) Formerly Business Transformation (BT) Indefinite Delivery / Indefinite Quantity (IDIQ) Contract” which is the “Scope and Ordering Guide” for contract FA701420R5002. 2) Copies of any completed “conflict of interest statements” submitted by any of the contract vendees/awardees to this contract, FA701420R5002. The time period for this request is January 1, 2020 to the present.***

Your request for this information is hereby denied in full in accordance with the following exemptions:

FOIA Exemption 3, 10 U.S.C. §2305(g), allows the Air Force to exempt DoD contractor proposals.

FOIA Exemption 4, 5 U.S.C. §552(b)(4) protects “trade secrets and commercial or financial information obtained from a person [that is] privileged or confidential.” Courts have little difficulty in regarding information as “commercial or financial” if it relates to business or trade. The Court of Appeals for the District of Columbia Circuit has held these terms should be given their “ordinary meanings” finding that records are commercial so long as the submitter has a “commercial interest” in them. Pub. Citizen Health Research Grp., 704 F.2d at 1290 (citing Wash. Post Co. v. HHS, 690 F.2d 252, 266 (D.C. Cir. 1982). Further, in Food Mktg. Inst. v. Argus Leader Media, 139 S. Ct. 915 (2019), the United States Supreme Court held that “at least where commercial or financial information is both customarily and actually treated as private by its owner and provided to the government under an assurance of privacy, the information is ‘confidential’ within the meaning of Exemption 4.

FOIA Exemption 6, 5 U.S.C. §552 (b)(6), permits an agency to withhold information contained within "personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy." See 5 U.S.C. § 552(b)(6); NARA v. Favish, 541 U.S. 157, 171 (2004); DOJ v. Reporters Comm., 489 U.S. 749, 773-75 (1989). The term "similar files" is broadly interpreted, such that Exemption 6 protects from disclosure all information that "applies to a particular individual" in the absence of a public interest in disclosure. The Dept of State v. Washington Post Co., 456 U.S. 595, 602 (1982). Accordingly, it is not the nature of the files in which the information is contained, but rather the balance of public and private interests that determines the Exemption's scope. Washington Post, 456 U.S. at 599-600.

If you disagree and interpret this response as an adverse action, you may write to the Secretary of the Air Force, Thru: AFIMSC/IZCI, 2261 Hughes Ave, Ste133, JBSA Lackland, TX 78236 within 90 calendar days from the date of this letter. Include in the appeal your reasons for reconsideration, and attach a copy of this letter. You may also submit your appeal on line at the Air Force's Public Access Link: <https://www.efoia.af.mil/palMain.aspx>.

You may contact the Air Force FOIA Public Liaison Officer, Mrs. Anh Trinh, at the DAF FOIA Public Liaison Office (SAF/CN), 1800 Air Force Pentagon, Washington, DC 20330-1800, [DAF.FOIA@us.af.mil](mailto:DAF.FOIA@us.af.mil) or 703-614-8500. You may also seek dispute resolution services from the Office of Government Information Services, and can find information on this Office at <https://www.archives.gov/ogis/mediation-program/request-assistance>. Using the dispute resolution services, will not affect your appeal rights.

The FOIA provides for the collection of fees based on the costs of processing a FOIA request and your fee category. In this case, we assessed no fees for processing this request.

Direct questions to [afimsc.foia.workflow@us.af.mil](mailto:afimsc.foia.workflow@us.af.mil) and reference FOIA case number 2022-00185-F.

Sincerely,

1/21/2022

**X** Charles J. Shedrick

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CHARLES J. SHEDRICK, GS-14, DAF  
Chief, Information Access Branch  
Signed by: USAF